

## **Chapter 1.22**

### **CLAIMS AGAINST THE CITY**

(3753-11/06)

#### **Sections:**

- 1.22.010 Authority
- 1.22.020 Claims Required
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**1.22.010 Authority.** This Chapter is enacted pursuant to Section 935 of the California Government Code.

**1.22.020 Claims Required.** All claims against the City of Huntington Beach for money or damages not otherwise governed by the Tort Claims Act, California Government Code Sections 900 et seq., or another state law or another provision of this Code (hereinafter in this Chapter, "claims") shall be presented within the time, and in the manner prescribed by Part 3 of Division 3.6 of Title 1 of the California Government Code (commencing with Section 900 thereof) for the claims to which that Part applies by its own terms, as those provisions now exist or shall hereafter be amended, and as further provided by this Chapter.

**1.22.030 Form of Claim.** All claims shall be made in writing and verified by the claimant or by his or her guardian, conservator, executor or administrator. No claim may be filed on behalf of a class of persons unless verified by every member of that class as required by this Chapter. In addition, all claims shall contain the information required by California Government Code Section 910.

**1.22.040 Claim Prerequisite to Suit.** In accordance with California Government Code Sections 935(b) and 945.6, all claims shall be presented as provided in this Chapter and acted upon by the City Risk Manager prior to the filing of any action on such claims and no such action may be maintained by a person who has not complied with the requirements of this Chapter. Where the amount of the claim exceeds fifteen thousand dollars (\$15,000.00), but is less than fifty thousand dollars (\$50,000.00), approval of the City Attorney is also required to pay the claim. No claim in excess of fifty thousand dollars (\$50,000.00) may be paid without City Council approval.

**1.22.050 Suit.** Any action brought against the City of Huntington Beach upon any claim or demand shall conform to the requirements of Sections 940-949 of the California Government Code. Any action brought against any employee of the City of Huntington Beach shall conform with the requirements of Sections 950-951 of the California Government Code.

**1.22.060 Property Taxes.** This Chapter shall apply to all claims for refunds of any property tax levied pursuant to Revenue & Taxation Code Section 96.31(a)(4).